

REMARKS

Claims 1-8, are pending in the application. In the Office Action, the Examiner has rejected Claims 1-8 under 35 U.S.C. § 103 (a) as being unpatentable over the *Jung et al.* (U.S. 6,097,949) in view of *Lietsalmi et al.* (U.S. 6,370,391 B1). Additionally, the Examiner has objected to Claim 8.

With regard to the objection of Claim 8, the Examiner asserts the word “not” is missing from the phrase “further comprising determining if a display state is active”. The Examiner assumes that it should read, “further comprising determining if a display state is *not* active”. It is respectfully submitted that the Examiner is incorrect. Claim 8 reads as follows:

8. The method of claim 6, further comprising determining if a display state is active, and storing the CBS message in memory if the display state is not active.

It is respectfully submitted that Claim 8 clearly recites the step of determining if a display state is active, the possible results of which are active or not active, and *if the display state is not active*, storing the CBS message in a memory. Accordingly, no changes to Claim 8 are necessary. Withdrawal of the objection of Claim is respectfully requested.

As indicated above, the Examiner has rejected independent Claims 1, 3, and 5 under 35 U.S.C. § 103 (a) as being unpatentable over the *Jung* in view of *Lietsalmi*. In this rejection the Examiner asserts that *Lietsalmi* teaches converting broadcasting information to a predetermined

message code according to the type and contents of the broadcasting information, and generating a message having a header indicating the type of the broadcasting information and the predetermined message code in a format predetermined depending on the type of the broadcasting information. More specifically, the Examiner asserts that the S-BCCH in *Lietsalmi* is the header, and the contents of the broadcasting information are coded in the S-BCCH. However, in the present invention, as recited in independent Claims 1, 3, and 5, the header is used to identify the type of the broadcasting information. Therefore, the header cannot include the encoded broadcasting information as in the S-BCCH in *Lietsalmi*, which is cited by the Examiner.

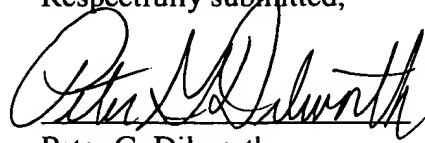
Accordingly, we believe the Examiner is incorrect in rejecting independent Claims 1, 3, and 5, as each of these claims recites that a header is used to identify a type of broadcasting information. This recitation is not disclosed in either *Jung* or *Lietsalmi*. Therefore, we believe independent Claims 1, 3, and 5 are patentably distinct from *Jung* in view of *Lietsalmi*. Based on at least the foregoing arguments, withdrawal of the rejection of claims 1, 3 and 5 is respectfully requested.

It is respectfully submitted that the dependent Claims 2, 4, 6, 7 and 8 are allowable based on allowance of their respective independent claims.

Accordingly, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any questions, it is respectfully requested that the

undersigned attorney be contacted at the earliest convenience to discuss the present application.
Early and favorable action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter G. Dilworth", written over a horizontal line.

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